
IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In Re:) Case No.: 16-32728
Chadell M Tribett)
) Chapter 13
)
) Judge: Timothy A. Barnes
Debtor(s))

NOTICE OF MOTION

TO: Chadell M Tribett, 9147 S Woodlawn Ave. Chicago, IL 60619 *via mail*

Trustee Marilyn Marshall, 224 S. Michigan Ave., #800, Chicago, IL 60604 *via ECF clerk's electronic delivery system*

U.S. Trustee, 219 S. Dearborn Suite 873, Chicago IL 60604 *via ECF clerk's electronic delivery system*

See attached service list

PLEASE TAKE NOTICE that on **March 21, 2019 at 9:30 am.**, I shall appear before the Honorable Timothy A. Barnes at the Dirksen Federal Court, 219 S. Dearborn, Courtroom 744, Chicago, Illinois 60604 or any judge presiding and then and there present the **Motion**, a copy of which is attached hereto.

By: /s/ David H. Cutler
David H. Cutler

CERTIFICATE OF SERVICE

I, David H. Cutler, hereby certify that I caused to be served, electronically or through U.S. Mail, a copy of the foregoing Notice upon the parties named above on February 28, 2019 before the hour of 9:00 p.m.

By: /s/ David H. Cutler
David H. Cutler, esq.
Counsel for Debtor(s)
Cutler & Associates, Ltd.
4131 Main St.
Skokie, IL 60076
Phone: (847) 673-8600

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MOTION TO MODIFY PLAN POST CONFIRMATION

NOW COMES the Debtor, Chadell M Tribett (hereafter referred to as "the Debtor"), by and through her attorneys, The Law Offices of Cutler & Associates, Ltd., to present this Motion and state as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 USC 1334 and this is a "core proceeding" under 28 USC 157(b)(2).
2. The Debtor filed for relief under Chapter 13 of the United States Bankruptcy Code on October 13, 2016 and her Plan was confirmed on January 5, 2017.
3. The Debtor's confirmation Order provides for a plan payment of \$220 for 36 months with unsecured creditors receiving at least 9% of their unsecured claims.
4. The Debtor's plan was modified on November 8, 2018 to increase her plan payment to \$450 a month beginning December 2018 until the end of the plan.
5. The Debtor's confirmed plan has tax refund language where she is to turnover her full tax refund to the Chapter 13 Bankruptcy Trustee.
6. The Debtor filed her 2018 taxes and her refund is \$7,131. The amount required for the Debtor to turnover is \$7,131. Debtor's 2018 taxes are attached, see Exhibit A.
7. The Debtor's disabled son was admitted to the hospital and the debtor incurred out of pocket medical expenses for him and took time from work to care for him during his

recovery. The Debtor incurred a medical bill in the amount of \$8,971.23. The bill for the hospital is attached, see Exhibit B.

8. The Debtor respectfully asks this Honorable Court permission to keep all of her 2018 tax refund to pay for her son's medical bill.

WHEREFORE, Debtor respectfully prays that this Court enter an Order allowing the Debtor to keep the entire tax refund for the year 2018 to pay for her son's medical bill; and for such other and further relief that this court deems just and proper.

Dated: February 28, 2019

Respectfully Submitted,

By: /s/ David H. Cutler
David H. Cutler, esq.
Counsel for Debtor(s):
Cutler & Associates, Ltd.
4131 Main St
Skokie, IL 60076
Phone: (847) 673-8600